

SPECIAL PROCEDURES SUBMISSION**PATENT APPLICATION****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q67940

Masaki KURIHARA, et al.

Appln. No.: 10/035,137

Group Art Unit: 1752

FAX RECEIVED

Confirmation No.: 3139

Examiner: John Chu

DEC 28 2004

Filed: January 04, 2002

OFFICE OF PETITIONS

For: POSITIVE PHOTORESIST COMPOSITION

**PETITION TO WITHDRAW APPLICATION FROM ISSUANCE
IN ACCORDANCE WITH 37 C.F.R. §1.313(a) and (c)(2)****MAIL STOP 313(c)**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions the Commissioner to withdraw the above-identified application from issuance in accordance with 37 C.F.R. §1.313(a) and (c)(2). Insofar as Applicant can determine, although the Issue Fee was paid on August 16, 2004, the above-identified application has not been accorded an issue date or a patent number.

The present petition is being filed to request consideration of a request for continued examination (RCE) in compliance with 37 C.F.R. §1.114 and consideration of an Information Disclosure Statement under 37 C.F.R. §1.97 in the above-identified application.

An Information Disclosure Statement and RCE are being filed concurrently herewith.

U.S. PATENT AND TRADEMARK OFFICE

WASHINGTON, DC 20540

PETITION TO WITHDRAW APPLICATION FROM ISSUANCE IN ACCORDANCE WITH
37 C.F.R. §1.313(a) and (c)(2)

U.S. Application No. 10/035,137

Attorney Docket No. Q67940

The concurrently filed Information Disclosure Statement includes an Office Action issued May 28, 2004, in a corresponding foreign application. Applicant desires to have the publications cited in the Office Action considered and made of record. In view of the above, it is respectfully submitted that good and sufficient reasons have been established as to why withdrawal of the application from issue is necessary.

The USPTO is directed and authorized the charge the statutory fee (pursuant to 37 C.F.R. § 1.17(i)) of \$130.00 and all required fees, except for the Issue Fee and Publication Fee, to Deposit Account No. 19-4880. A duplicate copy of this letter is enclosed.

Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Bruce E. Kramer / by Joseph J. Ruff
Bruce E. Kramer
Registration No. 33,725
Reg. No. 26,577

Date: December 28, 2004

CERTIFICATION OF FACSIMILE TRANSMISSION

Sir:

I hereby certify that the above identified correspondence is being facsimile transmitted to Petitions Branch at the Patent and Trademark Office on December 28, 2004, at (571)273-0025.

Respectfully submitted,

Bruce E. Kramer / by Joseph J. Ruff
Bruce E. Kramer
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Date December 28, 2004

FAX

To Wan Laymon

Of Petitions Group

Fax 571-273-0025

From Bruce E. Kramer

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DEC 28 2004

OFFICE OF PETITIONS

Subject Petition to Withdraw Application from Issuance in accordance with 37 C.F.R. § 1.313(a) and (c)(2), Request for Continued Examination (RCE), and Information Disclosure Statement and Form PTO/SB/08 A & B (modified) (substitute for PTO-1449)

Our Ref Q67940

Appln No 10/035,137

Conf No 3139

Inventors Masaki KURIHARA, et al.

Pages 40 (including cover sheet)

Please call attention to problems with this transmission by return fax or telephone. Thank you.

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This fax filing includes:

1. This cover sheet
2. Petition to Withdraw Application from Issuance in accordance with 37 C.F.R. § 1.313(a) and (c)(2) (in duplicate)
3. Request for Continued Examination (in duplicate)
4. Information Disclosure Statement (with a copy of Communication from a foreign patent office and PTO/SB/08 A & B (modified))

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Respectfully submitted,

Bruce E. Kramer
Bruce E. Kramer

Reg. No. 20,577

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Confirmation No.: 3139

Examiner: John Chu

Filed: January 04, 2002

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2. Request for Continued Examination
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SUGHRUE MION, PLLC

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DOCKET NO.: Q67940

ATTORNEY/SEC: BEK/lin

Date Filed: December 28, 2004

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WASHINGTON OFFICE

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Respectfully submitted,

Bruce E. Kramer by *Joseph P. Ruff*
Bruce E. Kramer
Reg. No. 26,577